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In re Application of

JAN 16 2009

Wu, et al.

OFFICE OF PETITIONS

Application No. 10/828,917

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: DECISION ON PETITION

Filed: April 21, 2004

Attorney Docket No. BA-22882

This is a decision on the petition under 37 CFR 1.137(b), filed March 7, 2008, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to file a proper and timely response to the final Office action mailed July 16, 2007, which set a shortened statutory period for reply of three-months from its mailing date. A response was filed on November 19, 2007, with a request for an extension of time within the first month. An Advisory Action mailed December 11, 2007, indicated that the response did not place the application in condition for allowance. No further responses were filed. The application became abandoned on November 17, 2007. A Notice of Abandonment was mailed March 3, 2008.

The Request for Continued Examination filed March 7, 2008, is noted.

The request for an extension of time within the third month filed March 7, 2008, is noted, but cannot be granted and is not necessary because the application was already in an abandoned status when the request was filed. The amount of \$465.00 will be refunded in due course.

The application file is being forwarded to Technology Center 2100, GAU 2181 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions